

E-Filed 1/27/09

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

DONG AH TIRE & RUBBER CO., LTD,

Plaintiff,

v.

GLASFORMS, INC.,

Defendant/Third-Party
Plaintiff.

v.

CTG INTERNATIONAL (NORTH AMERICA)
INC., and TAISHAN FIBERGLASS, INC.,

Third-Party Defendants.

Case Number C 06-3359 JF (RS)

**ORDER¹ OVERRULING
OBJECTIONS TO MAGISTRATE
JUDGE'S ORDER**

RE: Docket No. 177

Third-party Defendants Taishan Fiberglass, Inc. and CTG International, Inc.
(collectively, "Defendants") object to the Magistrate Judge's denial of their motions to compel
and for sanctions. The Court carefully has reviewed the motion papers and the Magistrate

¹ This disposition is not designated for publication in the official reports.

1 Judge's order with respect to third-party Plaintiff Glasforms' ("Glasforms") duty to preserve
2 evidence and the adequacy of Glasforms' discovery responses. The Magistrate Judge declined
3 to establish a specific date after which Glasforms was required to preserve evidence in
4 anticipation of the instant litigation, but concluded nonetheless that Glasforms' discovery
5 responses largely were adequate, and that Defendants in any event had waited too long to object
6 to purported inadequacies. Although the Court shares moving parties' concerns about
7 Glasforms' approach to the preservation and production of evidence potentially relevant to this
8 lawsuit, the Court finds, based on the record, that the Magistrate Judge's conclusions were not
9 clearly erroneous or contrary to law. *See* Fed. R. Civ. P. 72(a). Accordingly, Defendants'
10 objections to the Magistrate Judge's order will be overruled.

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12 **IT IS SO ORDERED.**

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14 DATED: 1/26/09

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17 JEREMY FOGEL
18 United States District Judge
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1 This Order has been served electronically upon the following persons:

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